



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

**FEB 23 2000**

400 Seventh Street, S.W.  
Washington, D.C. 20590

DOT-E 8495  
(FIFTH REVISION)

EXPIRATION DATE: January 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Walter Kidde Aerospace  
Wilson, North Carolina
2. PURPOSE AND LIMITATIONS:
  - a. This exemption authorizes the manufacture, mark, sale and use of a non-DOT specification cylinder conforming with all regulations applicable to a DOT specification 4DS cylinder, except as specified herein, for the transportation in commerce of the materials authorized by this exemption. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171- 180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.304(a) and 175.3 in that the use of a non DOT specification package is authorized and § 178.47 as specified herein.
5. BASIS: This exemption is based on the application of Walter Kidde Aerospace dated January 18, 2000, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Compressed gas, n.o.s. (mixture of bromotrifluoromethane and nitrogen) or Compressed gas, n.o.s. (mixture of pentafluoroethane and nitrogen)	2.2	UN1956	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings authorized are non-DOT specification welded steel cylinders fabricated in conformance with the requirements of a DOT Specification 4DS cylinder (§§ 178.35 and 178.47) except as follows:

§ 178.47(a) *Type, size and service pressure.*

Service pressure is at least 500 and not more than 1,400 psig.

§ 178.47(b) *Steel.*

Type Nitronic 40 (ARMCO 21-6-9) austenitic stainless steel with the following analysis:

<u>Element</u>	<u>Percent</u>
Carbon	0.04 max.
Manganese	8.00 - 10.00%
Phosphorus	0.060 max.
Sulfur	0.030 max.
Silicon	1.00 max.
Chromium	19.00 - 21.50
Nickel	5.50 - 7.50
Nitrogen	0.15/0.40

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§ 178.47(f) *Wall thickness.*

Applies except that the minimum specified test pressure be 90,000 psi instead of 60,000 psi in the first sentence.

§ 178.47(g) *Heat treatment.*

Seamless hemispheres and cylinders must be stress relieved or annealed for forming. Welded cylinders must be stress relieved at a temperature of  $900^{\circ}\text{F} \pm 25^{\circ}\text{F}$  after process treatment and before hydrostatic test.

b. TESTING - Each cylinder must be tested and reinspected in accordance with §173.34 (e) as prescribed for DOT 4DS cylinders except that the retest pressure must be stamped on the cylinder.

c. MARKING - Markings must be in accordance with the requirements under §178.35(f) except "DOT E 8495" must replace "DOT 4DS" and service pressure followed by the cylinder service pressure, e.g., DOT-E8495-XXX test.

The test pressure or (TP) must also be marked on the container followed by the pressure at which the cylinder was tested e.g. TPXXXX. This marking must precede or be located immediately above the date of the test.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

b. A person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this exemption and the HMR.

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c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each packaging manufactured under the authority of this exemption must be marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

e. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

f. The cylinders are for Aircraft/Marine use only.

g. The cylinders must be shipped in strong outside packagings in accordance with § 173.301(k).

h. The cylinders may be shipped equipped with properly approved actuating cartridges installed in the discharge outlet.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or aircraft used to transport packages covered by this exemption. The shipper shall furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

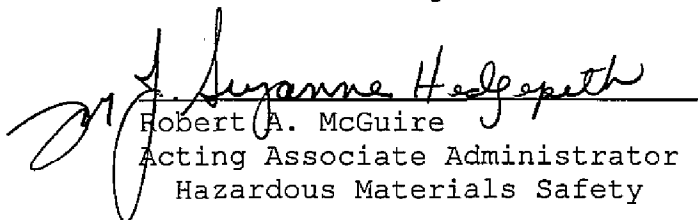
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued at Washington, D.C.

  
Robert A. McGuire  
Acting Associate Administrator for  
Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

Dist: FAA, FHWA, FRA, USCG  
PO: KFW